

CITY OF BAY CITY
RESOLUTION #02-13

A RESOLUTION SETTING FEES FOR STREET VACATIONS

Whereas the City of Bay City (hereinafter referred as City) has adopted an Ordinance #600 setting standards and procedures for the vacation of public rights-of-way within the City of Bay City, and

Whereas the City wishes to establish fees to be paid by an applicant for the opportunity to request a street vacation, given the fact that there are attorney fees, recording costs, advertising costs and administration costs which are incurred by the City in any street vacation proceeding.

NOW, THEREFORE, the City Council resolves to establish the following as fees for a street vacation request by any person or entity other than the City:

1. \$450.00 non-refundable. The applicant shall also be responsible for any actual out-of-pocket costs incurred by the City in excess of \$136.50 and actual attorneys fees in excess of \$225.00. In the event that the street vacation is granted, no recording or filing of the street vacation shall occur until all fees are paid in full. In the event there are multiple applicants for the same portion of street vacation, only one nonrefundable fee shall be collected.
2. The City shall be exempt from payment of the non-refundable fee for any street vacation initiated by the City which will result in the ownership of any portion of the vacated land by the City.
3. The City may initiate vacation of a street without an applicant and without payment of a non-refundable fee if the City determines that the street vacation is to the City's benefit.

PASSED AND ADOPTED this 8th day of October, 2002 by the Bay City Council and approved by the Mayor this 15th day of October, 2002.

CITY OF BAY CITY

/s/ James A. Cole, Jr. Mayor

By: James A. Cole, Jr., Mayor

ATTEST:

/s/ Linda M. Dvorak

Linda Dvorak, City Recorder